

## EDUCATIONAL NEGLECT

### 1. DEFINITION OF EDUCATIONAL NEGLECT:

Failure by the person responsible for the care, custody, and control of the child to provide an appropriate education and to promote school attendance as required for all children ages 7 through 16 years, and children ages 5 and 6, when they have been enrolled in a public school by their parent or guardian.

Educational neglect must be differentiated from truancy (a status offense). When a child is continuously absent from school through intent or neglect of the parent or caretaker, there is educational neglect. When a child is absent through his/her own intent, this is truancy and not reportable as child abuse/neglect.

Related Subject: Missouri Department of Elementary and Secondary Education – Compulsory Attendance and Part-Time Public School Enrollment:  
<http://dese.mo.gov/schoollaw/freqaskques/CompAttend.htm#1>

Home Schooling is when a person responsible for the care, custody, and control of a child is educating that child at home. Home schooling does not constitute educational neglect, however many times during the investigation/family assessment process CA/N reports accepted as educational neglect reports are learned or found to be home schooling. In such cases the worker will need to rule out educational neglect by verifying that a child is being “home schooled”.

Related Subject: Missouri Department of Elementary and Secondary Education – Home Schooling Information: <http://dese.mo.gov/schoollaw/HomeSch/homeschool.htm>

Related Subject: [Section 2, Chapter 8.3 Educational Neglect Reports Learned or Found to be Home Schooling](#)

### 2. INDICATORS/CHARACTERISTICS OF EDUCATIONAL NEGLECT

The indicators of child abuse/neglect vary. No child or caretaker will exhibit all of the physical or behavioral indicators listed, and some of the indicators are contradictory. The behavior of an abused or neglected child and other family members may be sporadic and unpredictable. Indicators should be used only as a general guide. The presence of multiple indicators or the pervasiveness of any one behavior indicator warrants close scrutiny by the worker.

- A child being held responsible for the care of other children during the school day while the parent works.
- A parent who is unable to get the child fed and dressed in time to attend school.

- Failure of parent to obtain and /or cooperate with special or remedial instruction for the child when recommended and provided by the school and the child is not succeeding in current class placement.

#### **PARENTAL/FAMILIAL CHARACTERISTICS**

- Highly stressful family situations
- Single parent family
- Recent marital problems
- Insufficient financial and other resources for child care

#### **OTHER FACTORS TO CONSIDER**

- Parent has been advised by school personnel of child's excessive absenteeism/special educational needs.
- Parent is providing home schooling.
- Parent's religious practices prevent child's attendance in a public school setting.

### **3. TYPES OF EVIDENCE**

Evidence is collected by Law Enforcement personnel, Children's Division (CD), and multi-disciplinary team members and used as both physical and credible verbal evidence to document the worker's investigative conclusion. Evidence for reports of educational neglect may include any one or all of the following:

- Child's Statement
- School Reports
- Perpetrator's Statement
- Juvenile Court Report
- Witness' Statement

Chapter 210 requires the investigator to conduct a thorough investigation. To that end, investigators are allowed to contact anyone with information relevant to the CA/N report without the knowledge and/or consent of the subjects. This includes interviewing the child without the knowledge and/or consent of the parent. When the child is seen without parental consent, every effort should be made to involve the parents as quickly as possible.

TITLE: CHILD WELFARE MANUAL  
SECTION 7: GLOSSARY/REFERENCE  
CHAPTER 32: EDUCATIONAL NEGLECT  
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### **VISIBLE SIGNS**

Visible signs are those observations made by the worker during the course of the investigation. Visible signs include, but are not limited to: the size, shape, and location of an injury, behavioral indicators of family members, and physical condition of the family home.

MEMORANDA HISTORY: [CD05-35](#)